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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,300	12/28/2001	Andreas Dieberger	ARC920010059US1	9723
33360	7590	02/10/2005	EXAMINER	
MARK D. MCSWAIN IBM ALMADEN RESEARCH CENTER, IP LAW DEPT. 650 HARRY ROAD CHTA/J2B SAN JOSE, CA 95120			PITARO, RYAN F	
			ART UNIT	PAPER NUMBER
			2174	
DATE MAILED: 02/10/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/034,300

Applicant(s)

DIEBERGER ET AL.

Examiner

Ryan F Pitaro

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>03122002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 have been examined.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 2 recites the limitation "said documents" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-13,22,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berkley Digital Library Project ("Berkeley", Titlebars) in view of North et al ("North", User Controlled Overviews of an Image Library: A Case Study of the Visible Human).

As per independent claim 1, Berkeley discloses a method for visualizing and navigating documents in a graphical user interface comprising the steps of: generating a summary view of at least one document containing instances of search terms using a condensed abstract representation depicting a search term density distribution (Page 1 lines 1-6); and navigating to at least one segment of said document by selecting a corresponding portion of said summary view (Page 3 lines 3-8). Berkeley fails to distinctly point out cursor brushing. However, North teaches triggering an enhancement

of said summary view by cursor brushing (Page 5 lines 1-4). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Berkeley with the cursor brushing of North. Motivation to do so would have been to provide a preview to depict relevance to a user's search.

As per claim 2, which is dependent on claim 1, Berkeley-North discloses identifying said at least one document with at least one search engine (Berkeley, Page 4 lines 32-35).

As per claim 3, which is dependent on claim 1, Berkeley-North discloses generating document metadata using at least one indexing tool (Berkeley, Figure 5 item 10).

As per claim 4, which is dependent on claim 3, Berkeley-North discloses a method wherein said metadata includes at least one of: search terms, textual transcript, results of a textual transcript search, results of a speaker change search, results of a stress analysis, topic headings, results of a topic change search, results of a speech transcript search, audio features, audio amplitude data, number of accesses to a particular document segment (Berkeley, Figure 5 item 10; *topic headings*).

As per claim 5, which is dependent on claim 3, Berkeley-North discloses a method wherein generating step uses said document metadata to depict said search term density distribution (Berkeley, Figure 5).

As per claim 6, which is dependent on claim 3, Berkeley-North discloses a method wherein the physical dimensions of said summary view encode metadata values (Berkeley, Page 1 lines 10-11).

Claims 7,22,23 are similar in scope to that of claim 1, and are therefore rejected under similar rationale.

As per claim 8, which is dependent on claim 7, Berkeley-North discloses a system wherein said graphical user interface is generated by at least one of: a digital computer, a personal digital assistant, a personal information manager, a cell phone microbrowser (Berkeley, Page 4 lines 32-35, *wherein a computer, pda, a personal information manager, or a cellphone micro browser must present when using a java compliant browser*).

As per claim 9, which is dependent on claim 7, Berkeley-North discloses a system wherein said document comprises at least one of: a text file, an image file, a web page, an audio file, a video file (Berkeley, Page 1 lines 1-3, *text file*).

As per claim 10, which is dependent on claim 7, Berkeley-North discloses a system wherein said document includes a collection of documents (Berkeley, Page 3 lines 1-8).

As per claim 11, which is dependent on claim 7, Berkeley-North discloses a system wherein said representation includes an array of cells having rows and columns corresponding to said search terms and said document segments (Page 2 lines 1-5, Page 3 lines 1-8).

As per claim 12, which is dependent on claim 11, Berkeley-North discloses a system wherein contents of a particular cell represent the presence and absence of search terms (Berkeley, Page 2 lines 3-5), and a frequency with which said search

terms occur in the document segment corresponding to said cell, as an indication of document relevance (Berkeley, Page 2 lines 3-5).

As per claim 13, which is dependent on claim 7, Berkeley-North discloses a system wherein said enhancement includes the first several words from a particular corresponding document segment (Berkeley, Figure 5 item 10).

As per claim 14, which is dependent on claim 7, Berkeley-North discloses a system wherein said summary view is displayed in a modified version of said document (Page 5 lines 4-6; *search is entered at the bottom of the page*)

6. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berkley Digital Library Project ("Berkeley", Titlebars) and North et al ("North", User Controlled Overviews of an Image Library: A Case Study of the Visible Human) in view of Windows NT ("WinNT").

As per claim 16, which is dependent on claim 7, Berkeley-North fails to distinctly point out the use of fold-out windows. However, WinNT teaches displaying a fold-out window (Figure 1). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Berkeley-North with the teaching of WinNT. Motivation to do so would have been to provide a way of presenting information without cluttering the screen.

7. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berkley Digital Library Project ("Berkeley", Titlebars) and North et al ("North", User Controlled

Overviews of an Image Library: A Case Study of the Visible Human) in view of Tiongson et al ("Tiongson", US 6,816,174).

As per claim 16, which is dependent on claim 7, Berkeley-North fails to distinctly point out a hierarchy depicting information at increased resolutions. However, Tiongson teaches a system wherein said enhancement includes a hierarchy of said representations, with each subsequent representation in said hierarchy depicting information at an increased resolution (Figure 5B). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Berkeley-North with the teaching of Tiongson. Motivation to do so would have been to provide an easy way of depicting the element in focus and to provide a larger, clearer preview of the element.

8. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berkley Digital Library Project ("Berkeley", Titlebars) and North et al ("North", User Controlled Overviews of an Image Library: A Case Study of the Visible Human) in view of Liou et al ("Liou", US 6,580,437).

As per claim 18, which is dependent on claim 7, Berkeley-North fails to distinctly point out a video file and representing at least one frame of the video file. However, Liou teaches a system wherein said document is a video file and said enhancement includes a hierarchy of said representations and at least one video frame (Figure 5). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Berkeley-North with the current teaching of Liou. Motivation to do so would have been to organize a set of videos to make searching easier.

As per claim 19, which is dependent on claim 7, Berkeley-North-Liou discloses a system wherein said document is a collection of video files and said enhancement includes individual video files from said collection (Liou, Figure 5).

As per claim 20, which is dependent on claim 7, Berkeley-North-Liou discloses a system wherein said document is collection of video files and said enhancement includes a hierarchy of said summary views, with a first layer in the hierarchy including information describing individual video files from said collection, and with a second layer in the hierarchy including at least one video frame from said individual video files (Liou, Figure 5).

9. Claims 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berkley Digital Library Project ("Berkeley", Titlebars) and North et al ("North", User Controlled Overviews of an Image Library: A Case Study of the Visible Human) in view of Amir et al ("Amir", What is in that video anyway?: In Search of Better Browsing).

As per claim 21, which is dependent on claim 7, Berkeley-North fails to distinctly point out a storyboard enhancement. However, Amir teaches a system including a storyboard having a number of video frames (Column 4 lines 7-22). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Berkeley-North with the current teaching of Amir. Motivation to do so would have been to organize a set of video frames to make searching through the video easier and faster.

10. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berkley Digital Library Project ("Berkeley", Titlebars) in view of North et al ("North", User

Controlled Overviews of an Image Library: A Case Study of the Visible Human) in further view of Gomes et al ("Gomes", US 6,615,209).

As per claim 15, which is dependent on claim 7, Berkeley-North fails to disclose a contextual snippet having search terms and surrounding words. However, Gomes teaches contextual snippets having search terms and surrounding words (Column 8 lines 37-45). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Berkeley-North with the current teaching of Gomes. Motivation to do so would have been to provide a brief overview of what to expect from the source.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday through Thursday and on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Art Unit 2174
Patent Examiner

RFP

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